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Amendment No. 21 to SB2624

**McNally
Signature of Sponsor**

AMEND Senate Bill No. 2624

House Bill No. 2286*

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section to be appropriately designated:

Section _____. (a) (1) With respect to TennCare enrollees in the expansion population, if an enrollee claims to be unable to pay any co-payment of an enrollee under the terms of the TennCare waiver, then the enrollee shall pay the required co-payment and apply for a refund from the enrollee's TennCare managed care organization [MCO]. The MCO shall refund any co-payment paid upon appropriate proof presented by the enrollee to the MCO that the enrollee is unable to pay the required co-payment. The managed care organization shall make such refund within thirty (30) days of determining that the enrollee was unable to pay the required co-payment.

(2) The bureau of TennCare shall establish requirements for appropriate proof by rule promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

(3) The provisions of this subsection shall not take effect until the rule establishing the requirements for appropriate proof has taken effect.

(b) The provisions of this section shall take effect to the extent that they are permitted by federal law and to the extent that all required approvals have been obtained from the federal department of health and human services under the terms of the federal TennCare waiver.

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